

CITY OF BELLEVUE
DOWNTOWN LIVABILITY
CITIZEN ADVISORY COMMITTEE
MEETING MINUTES

September 18, 2013
6:30 p.m.

Bellevue City Hall
Room 1E-108

MEMBERS PRESENT: Aaron Laing, co-chair; Patrick Bannon, Michael Chaplin, Hal Ferris, Gary Guenther, Brad Helland, Trudi Jackson, Loretta Lopez, Lee Maxwell, Erin Powell, Jan Stout

MEMBERS ABSENT: Ernie Simas, co-chair, Mark D'Amato, David Sutherland, Ming Zhang

OTHERS PRESENT: Dan Stroh, Emil King, Chris Salomone, Department of Planning and Community Development

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER, APPROVAL OF AGENDA, APPROVAL OF MINUTES

The meeting was called to order by co-chair Laing at 6:38 p.m.

A motion to approve the agenda was made by Mr. Ferris. The motion was seconded by Ms. Jackson and it carried unanimously.

Ms. Maxwell and Mr. Helland indicated they would forward to staff some non-substantive revisions to the minutes.

A motion to approve the minutes incorporating the non-substantive changes to be sent to staff was made by Mr. Helland. The motion was seconded by Mr. Bannon and it carried unanimously.

2. PUBLIC COMMENT

Ms. Anita Skoog-Neil, 9302 SE Shoreland Drive, pointed out that the notice sent out to the public and posted on the website did not include a link to the agenda or materials. She declared her interest in protecting the perimeter neighborhoods. The comment made by Lori Lyford at the previous committee meeting regarding affordable housing should be understood to mean that a serious discussion is needed about what approach the City should take if affordable housing is on the table. References were made at the last meeting to the charrette manual and the document should be made available to the public. It would be a good idea to have a developer or two address the committee on the economics of development. She pointed out that several years ago a lawsuit was filed against three projects on the edge of the Downtown that were intended to be very tall.

The lawsuit resulted in the current wedding cake approach to building height, and possibly the sub-perimeter districts. She noted that a comment was made at the end of the last meeting about locating affordable housing to the south of Main Street where the zoning is R-30 and went on to say that the R-30 buffers single family so to put affordable housing there would defeat the purpose of the buffer zone.

Ms. Alicia Campo spoke on behalf of Downtown Action to Save Housing (DASH), an affordable housing developer located in the Ashwood neighborhood. She said the organization was founded in 1991 to address the emerging need to preserve affordable housing. Thirty percent of the organization's portfolio is located in Bellevue. She said the organization would be closely following the work of the committee as it pertains to affordable housing.

Mr. Marty Kooistra with Habitat for Humanity said there are many in King County and on the Eastside who are seeking affordable housing. He commended the committee for its diligence in studying the issue when looking to the future of Downtown Bellevue, particularly at how affordable housing is sited and the mechanisms that can be appropriately and legitimately used and incentivized. Non-profit organizations are doing their best to see affordable housing created, but a variety of tools are needed. Affordable housing in the Downtown will make it possible for people to live in the Downtown area able to afford to do so without having to shoulder a heavy transportation burden and without destroying their families because of the limited amount of time spent with them after work and commuting. The committee was encouraged to do all it can to promote housing affordability.

Ms. Betty Takahashi spoke as the McKinney-Vento homeless liaison for the Bellevue School District. She said only two and a half weeks into the school year she is dealing with the highest number of eligible students to date. Currently 120 students are in the program; at the same time in 2012 there were only 83. The numbers have been steadily increasing for the past few years. Most of the homeless students are living in transitional housing, usually doubled up with another family to help make ends meet, and 15 of the students are living in cars after being evicted from their apartments because their family could not afford the rent. Rents on the Eastside continue to be very high, and doubling up is not uncommon, often without the knowledge of the landlord. Too many of the homeless students are essentially the throwaway children of drug-addicted parents. She urged the committee to consider the need for affordable housing.

Mr. Warren Koons spoke as a member of the Bellevue Downtown Association (BDA) Land Use and Livability Committee. He said in the last six weeks a sub-group of the committee consisting of Downtown owners and developers was convened to discuss points to be made to the committee regarding process. The group concurred on four themes: 1) the need for the Downtown to remain competitive and the need for a code and land use processes that will protect values and optimize the development potential of the Downtown; 2) the need for predictability in the code and process efficiency; 3) a positive can-do make-it-work attitude on the part of City staff and leadership in approaching

permitting and development; and 4) the need to revisit and update the code more frequently than every 30 years.

Mr. Brian Brand also spoke representing the Bellevue Downtown Association. He thanked the committee members for the commitment they have made to serve the City. He said the Land Use and Livability Committee will be working alongside the efforts of the committee and will at appropriate times offer suggestions to the group. The goal of the BDA is to make Downtown Bellevue the economic and cultural heart of the Eastside. With regard to the amenity incentive program, a district-by-district approach should be considered. Each district is different, has different needs, and should have different amenities. Each district should have its own set of design guidelines. Developers should be motivated by the highest bonus ratios for the most desired amenities. Projects should be encouraged to reach their maximum potential; to that end the base FARs in the code are too low, and a higher FAR bonus should be allowed for certain amenities. The amenity incentive program should be evaluated more often than every 30 years to maintain relevancy. The code should allow extra height and FAR increases beyond the maximums if projects deliver some kind of amenity element or extraordinary design through a discretionary process. The dimensional requirements between commercial and residential uses should be leveled; the current 30-year-old approach was aimed at achieving more residential and is no longer needed. The definition of what pedestrian-oriented frontage can include should be expanded given that retail at the street level of every building does not make sense. If the underground parking incentive is removed, there should be an upward adjustment to the base FAR. The design review process needs to be efficient and predictable. Downtown Bellevue has fewer streets than most cities and therefore has less open space, so the amenity system should encourage increased setbacks and taller, thinner buildings, resulting in a reduction of mass and bulk at the ground level and in the air. The result would be more open space at the street level, improved viewscales, and more iconic structures.

Ms. Kelly Rider, policy director for the Housing Development Consortium of King County, urged the committee to address the critical need for a more diverse housing stock in the Downtown. The people who work in the Downtown should have the opportunity to live in the Downtown. Where that happens, commute times and congestion levels are reduced, and the workers have more time to spend in their community, more time volunteering, and more time at home with their families; the result is better for society, families and the environment. The current housing stock in the Downtown does not match the diverse need. Of the 7,400 housing units in the Downtown, only about 1,000 are affordable to low- and moderate-income residents. In order to meet the need identified in the Countywide Planning Policies, the number of affordable units would need to be doubled. The place to start is with the incentive system. Affordable housing should be prioritized in the incentive system. Appropriately crafted incentives can harness the power of the marketplace to produce homes that meet the needs of modest wage working families with limited public investment. Density bonuses, impact fee exemptions, parking reductions, fee waivers, expedited permitting and multifamily tax exemptions can all be used as incentives. The current long list of incentives in the density bonus system should be shortened to include only the elements that are needed the most

in the Downtown. The number one cause of homelessness on the Eastside is the lack of affordable housing, so addressing the need will help to reduce that problem as well. The members of the Housing Development Consortium of King County are private businesses, non-profit organizations and public partners working together to develop affordable housing, most of which is targeted at low-income families. Developing units for that demographic requires government subsidies and the ARCH housing trust fund has been critical. The organization is supportive of increasing allocations to the housing trust fund. It is understood that the budget is not a committee issue, but has rather been charged with addressing development issues.

3. STAFF RESPONSES TO COMMITTEE FOLLOW-UP QUESTIONS

Strategic Planning Manager Emil King noted that questions asked to date by the Advisory Committee had been assembled and answered by staff as appears in the committee's packet.

Mr. Helland called attention to item 3, the question about why "five over two" construction is not permitted in Bellevue, and asked what it would take to allow that type of construction. Mr. King said there is a current long-range facilities planning effort under way by the fire department. He said the issues relating to "five over two" construction will be brought up as part of this work.

Mr. Ferris said the code allows mezzanines that are less than 50 percent of the floor area to not be counted as a story. Developers can build one story with a mezzanine with five stories above and have it interpreted to be "five over one" construction. That is what was happening in Seattle until the city decided to allow "five over two" construction with pressurized stairwells and the like. He noted that the staff response to item 3 says Bellevue has one-fifth the fire response capability of Seattle, but the fact is Bellevue is one-fifth the size of Seattle as well. More effort could be put into the issue than just saying Bellevue does not have enough fire capacity.

Mr. Bannon called attention to item 14 and asked if the comment by staff can be interpreted to mean that a single-use, single-purpose, short-term parking lot could be built above grade in the Downtown. Mr. King said that is the interpretation given by the City's land use group. Planning Director Dan Stroh clarified that short-term and visitor parking is treated differently from commuter parking and does not have to be associated with an underlying use.

Mr. Ferris noted that the committee had received quite a lot of testimony regarding housing affordability, and acknowledged the white paper on the topic prepared by staff and included in the packet. He said he wanted to make sure affordable housing will be placed on an upcoming agenda so the details, particularly those around incentives for the use, can be fully discussed.

Ms. Stout agreed that a block of time should be dedicated to the discussion early on in the process. The topic is one the Human Services Commission is very concerned about. Co-

chair Laing said he and Co-chair Simas would talk with staff about how and when to schedule the topic.

Ms. Lopez asked if the committee was expected to start from the position that anyone who works in the Downtown should be able to live in the Downtown. Co-chair Laing said none of the Council principles directs the committee to operate under that assumption.

Mr. Bannon suggested the first principle could be interpreted as applying if housing affordability is included as a public benefit. He agreed the topic is not otherwise called out by the principles.

Co-chair Laing informed the group that in addition to the focused work of the Downtown Livability Initiative CAC, the City is undergoing the process of updating the Comprehensive Plan. One of the elements that is being looked at is land use and housing. The work of the committee will ultimately make its way to the Planning Commission. He asked the committee members to indicate if housing affordability should be put on a future agenda as a standalone issue.

Ms. Stout supported giving serious study to affordable housing. The Human Services Commission has a goal of making sure families in the community have some place to live. The various housing groups concerned about affordable housing want to see all districts of the City share in the solution. The topic should be pursued at a future committee meeting.

Ms. Jackson said the committee should definitely discuss the topic so as to not inadvertently preclude it from the amenity system. She said she did not hold to the idea that everyone who works in the Downtown can live in the Downtown, but without question a mix of housing types is an important element of good cities.

Mr. Helland agreed the matter warrants discussion. The topic of livability clearly includes housing stock.

Mr. Guenther said his preference would be to discuss affordable housing in the context of everything else. The group has a lot to talk about and should not get bogged down on a single issue.

Ms. Stout urged the committee not to lose sight of the desperate need for housing. Unless the topic is seriously discussed, it will get lost. She said in reading through the materials presented to the committee she concluded that not enough of a focus is actually put on livability for the people who live in Bellevue. The focus to date has been on economic factors, and if that trend continues the affordable housing topic will get lost. In addition, the City, including the Downtown, is being affected by the issue of homelessness, and that needs to be part of the discussion.

Ms. Maxwell said the committee should seek to avoid getting wrapped up in assuming the responsibility to find housing for all who work in the Downtown. The properties in the Downtown are the highest in value per square foot in the entire City. Transit opportunities are in the works by which people will be able to travel by train to their work place. The economics facing the Downtown are vitally important and the amenities placed on development will affect the viability of developers to build in the Downtown rather than somewhere else. She agreed affordable housing should be given some focus as a standalone topic, but not for a full meeting.

Mr. Bannon suggested there is much to be gained and learned about housing affordability. In the context of the ongoing work to update the Comprehensive Plan, it would be fair for the committee to understand the relationship between how an incentive could be included, but the group should not expand its scope to include housing affordability citywide.

Mr. Chaplin said it would be good to have staff give the committee an outline of how the subject of affordable housing ties in to the Land Use Code and everything the work of the committee is intended to influence. Additionally, it would be useful to have staff provide the committee with a concise history of why the City is where it is currently relative to the stock of affordable housing and what limitations are keeping more from being developed.

Co-chair Laing said his read was that the group certainly understands the importance of affordable housing. He reiterated that he and Co-chair Simas would work with staff to get the issue on an upcoming agenda, and to make sure the group is supplied with good information about the economics of incenting the development of affordable housing.

4. CONTINUED DISCUSSION OF DRAFT LAND USE CODE AUDITS Downtown Amenity Incentive System

Mr. Stroh said at the last meeting there was a discussion of the emerging unique character of the Downtown districts and agreement that deepening the character of each would be a good idea. He allowed that steps would need to be taken to keep things from getting overly complex. He cautioned against getting into precise code mechanisms or the rates of the various incentives in discussing the incentives themselves. Under the current system, bonuses are available Downtown-wide and are not differentiated by specific neighborhoods. The code audit makes some conclusions about what is working well and where there is room for improvement, and some of the Council principles offer guidance for thinking about the incentive system.

Mr. Stroh said there are a variety of documents to be referenced in considering the incentive system. He noted that the Urban Design Framework was included in the packet; it shows some of the existing urban design elements and concepts that are reflected in the current code. While the document likely will be updated based on the work of the committee, it serves as a good reference document. He pointed out that the results of the Downtown charrette were also included in the project Briefing Book. The Great Streets

report has a number of elements that may be achieved through public spending or private development through incentives. In addition, the public input received to date and committee discussions have generated a menu of items for consideration, including the notion that the different areas of the Downtown are emerging with individual characters.

Mr. Ferris pointed out that the current list of amenities was developed some 30 years ago at a time when Downtown Bellevue was a lot different. Clearly there were a lot of surface parking lots and very little structured parking, and there was an incentive on the part of the City to see more structured parking created. The committee is focused on the issue of livability and to that end the amenities and factors that contribute the most to livability should be highlighted, and once a list is populated the next step should be to identify the incentives that would achieve those goals. He added that the comments from the Bellevue Downtown Association about having a different approach for each of the Downtown districts were somewhat disconcerting; that would require nine different amenities lists and nine different sets of priorities. He agreed that some amenities may be more appropriate in some districts than in others.

Mr. Bannon commented that weather protection is a livability component that could be achieved either by requirement or through incentives.

Ms. Jackson suggested that some elements seen as aspirational 30 years ago would be considered requirements now.

Mr. Ferris suggested the activating of streets should not be uniformly tied to the entire Downtown area. The shopping, entertainment and commerce streets along with the Pedestrian Corridor do need an emphasis on activating the streets, but there are other streets with a more passive, green and friendly front that are not intended to be high energy areas.

Mr. Bannon noted that there are many examples of strong urban spaces that are publicly accessible in the Downtown, but there are also some that have not been done quite as well. Designers now are taking a much closer look at gathering spaces, both on rooftops and in and around buildings, and using them to provide a greater sense of air and light. If done well, designs that promote open space, air and light will enhance the Downtown.

Mr. Chaplin allowed that tall buildings have impacts in terms of shadow and wind that contribute to how useable plazas are. One thing that could be looked at is the extension of plazas vertically. Such spaces can be created on rooftops and there should be an incentive for activating roofs. High-rise office and residential occupants should not have to look down on a sea of HVAC units. If they can see green rooftops they will have a visual connection of being part of the park and a green city. Plaza placement is critical to how usable they are and the degree to which they benefit the public.

Continuing, Mr. Chaplin suggested there is merit to the Bellevue Downtown Association's proposal to treat the various Downtown districts differently in terms of the incentive system. There are many elements of the current incentive system that clearly do

not work in some districts, and there are some elements that only work in certain districts. There is a reason why some of the incentives on the list have never been utilized. Residential is on the list as an incentive. Most projects, however, do not use the incentive to get their bonus points; they use other elements because they are getting free FAR anyway. Where 30 years ago an incentive was needed to get residential units developed, in the current environment residential can easily be generated by the FAR bonus.

Mr. Chaplin asked for clarification regarding the proposal by the Bellevue Downtown Association to level the playing field for residential and commercial buildings. From the audience, Mr. Brand testified that under the current system, commercial can achieve only half the height a residential building can achieve. Mr. Chaplin pointed out that residential floor plates are necessarily different from those of commercial developments.

Mr. Ferris explained that residential developments have requirements for windows that allow light and air into the rooms, and that keep their floor plates from being more than 70 feet wide. A residential building, especially if located on a superblock, simply cannot fill the site. An office building can spread from property line to property line with huge floor plates. Leveling the field would not yield much housing because housing could not compete. There needs to be recognition of that fact, not an equalization.

Ms. Maxwell observed that there are marquees, arcades and awnings as part of developments in the Downtown, yet pedestrians still are not fully protected. She suggested that what is needed is a description of what is wanted relative to weather protection rather than details about how to implement it. That sort of thing should apply to all districts.

Mr. Helland said his reading of the materials supplied by the staff left him unclear as to how the amenities came to be, and if there are still compelling reasons to have some of them. He said it is difficult to say if the list of amenities is complete or not. Ms. Stout agreed with the proposal of Mr. Ferris to take a close look at what elements are really needed to support livability. There are some items on the current incentive list that have never been satisfied that Downtown and some adjacent neighborhoods need. Childcare and human services are two such items.

Ms. Powell observed that the amenities for public meeting rooms, childcare services, retail food, public restrooms, performing arts space, space for non-profits and social services, and the donation of park property have not been achieved through the current amenity system. She allowed that to accomplish any of those items will require funding and it may be time to start talking about pooling resources to make them more of a reality. Downtown residents and office workers should not have to wait another 30 years to get a childcare facility in the Downtown, or a public restroom.

Mr. Bannon pointed out that there are in fact childcare services and public restrooms in the Downtown. What is clear, however, is that developers have not found those incentives to be attractive options.

Mr. Ferris stressed the need to avoid focusing on how to achieve certain results in favor of highlighting the ideas that are important. Once the list is generated, attention can be given to solving the needs. The amenity incentive system is one solution, but there are others, some of which are not at the disposal of the committee, and it may take a combination of things to make them happen.

Ms. Stout said the concept of third places, which are places for people to come together apart from work and home, is not on the incentives list. One need only look at Crossroads to understand the concept.

Ms. Jackson suggested the topic of plazas should be meshed with green space. Some plazas could serve as public gathering spaces but because they are totally uninviting they are useless as a public benefit. The plaza at the City Center development is surrounded by tall buildings and to get in to it is very difficult for anyone not already in one of the surrounding buildings. The site is called out as open space in the Downtown, but it is not actually open space except as a corridor for the people who work adjacent to it. Plazas should be required to be inviting by being green and having benches for people to sit.

Mr. Chaplin said good design can include combining outdoor and indoor spaces to give people the sense that they are outdoors when actually they are indoors and protected from the weather. He also highlighted the need to understand what aftereffects may result from incentives or requirements. Underground parking is always a big issue, but taking away the incentive for it could have an impact, particularly if a development elects to place its required parking above grade. The Pedestrian Corridor is a great idea but the way it is incentivized is through development, so if not everyone participates the corridor will never be a holistic element. Hopefully in the next round of development some of the existing gaps will get filled in, but it is equally likely that some gaps will never get filled in. Non-residential development is allowed above 300 feet for those who contribute to the Pedestrian Corridor, but the bonus should also be available to developers who choose to include plaza space in the right location that will be just as usable to pedestrians.

Co-chair Laing said the list submitted by the Bellevue Downtown Association resonated with him for a variety of reasons. One cannot talk about removing major amenities such as structured parking without also increasing the base FAR to match what would have been allowed with underground parking. The same is true for making a distinction between residential and commercial. If there is acceptance of the impacts associated with the bulk and height of a building regardless of how it is massed, it really does not matter what is inside the building. He said he opposed having specific uses as part of an amenity system. By way of illustration, he said if a developer were to come in and agree to include a daycare center and thus receive bonus floor area, no one can say what will happen if the space dedicated for the daycare never gets filled, or if the space is rented but the daycare provider eventually goes out of business. It is not possible for the City to require the removal of the bonused floor area, or impose a restriction on leasing that portion of the building to any use other than a daycare. Involving uses as incentives is a poor approach. The same can be said of pedestrian-oriented frontage as an incentive; it can in fact be argued that every use is pedestrian-oriented because walking is always

involved even if it is only from the car or bus. The current approach allows increased height and FAR in exchange for the provision of ground level retail space, and the developers often need the bonuses in order to make their projects pencil out. The risk, however, is that those ground-level spaces will be empty where there is no market for the space, and the City's remedy when a developer chooses to locate a non-pedestrian-oriented in the space is limited to forcing the space to remain empty, not the removal of the bonused floor area and height. The Land Use Code therefore becomes an instrument to cause blight or halt development, neither of which is a desired outcome.

Co-chair Laing agreed that marquees and awnings should be required rather than incentivized features. If they are removed from the list of amenities, however, the logical next step would be to increase the base FAR and height and require weather protection. With regard to public open space and plazas, he said the problem is the underlying parcels often have different owners. Large-scale amenities like plazas and pocket parks require all the property owners to cooperate. The Pedestrian Corridor is a wonderful plan, but unless everyone is on board it will never be fully implemented. He agreed that plazas should not always have to be at the ground level, but in all cases good planning is needed in order to yield truly useful and welcoming spaces.

Ms. Jackson agreed that specific uses are the bailiwick of the market and as such should not be incentivized.

Ms. Stout said there are services desperately need to be available within the confines of the Downtown, but they do not necessarily fit as amenities. Childcare is available in the Downtown, but the use may simply be pushed out as the next wave of development occurs.

Ms. Maxwell said the Downtown Plan that was set in motion in 1981 has delivered a very good product. However, the City is at the juncture of needing to look at build-out without necessarily just trying to force more of the same. Things have changed. There would be benefit in having a professionally-based committee conduct preliminary design review for each of the nine Downtown districts before developers move ahead with spending significant money on final design. If childcare, green space or any of the other amenities are needed, each development should accommodate it within its own immediate area of the community. It will take a different approach to get there, such as applying incentives and bonus points by area based on the advice of a small group of professionals, residents and merchants.

Mr. Bannon commented that what is economically feasible and makes sense for a developer, when tied to a vision for a particular area of the Downtown, brings about a lot of opportunity. It is in the City's best interest to have projects maximize their FAR and get the most out of each site while still delivering designs and amenities that mesh with the overall vision. There is a balance that needs to be sought between flexibility and predictability. A developer should be able to come in with a creative concept and meet with staff that have some discretion to help shape the project. A separate citizen panel may play into that approach as well.

Mr. Chaplin commented that there are many success stories in the Downtown that have come about as a result of the code. He said some tweaks may be needed, but the code does not need a complete overhaul. Developers are willing to invest in the community when given the opportunity. There are a lot of fees required for each project and if a developer could have some say in using the funds for a specific project in a location they are developing, the results could be very beneficial. The design charrette yielded a number of great ideas that developers would love to create, but there just is no pathway open to them, either because they do not own the land needed or because the fees they paid out leave them without enough funds.

Co-chair Laing noted that development projects are required to pay traffic impact fees based on a set formula. Those fees must be spent on transportation projects, but the City can spend them anywhere it wants within the City limits for projects that will have no benefit at all for the Downtown project that has to pay the fees.

Mr. Ferris cautioned the committee to avoid overstepping its bounds. He clarified that the City Council has charge of the impact fee program and determines what the fees should be and where they should be spent. The issue is not on the committee's plate.

Mr. Helland pointed out that continued development of the Downtown will have traffic impacts. He agreed the committee has not been charged with deciding how traffic impact fees should be spent, but if there are useful amenities related to traffic and congestion, they should be included on the list.

Co-chair Laing asked if the committee were interested in talking about incentives specifically related to the parks and open spaces that exist in the Downtown.

Ms. Powell said she would favor having that discussion.

Mr. Ferris noted from the packet materials that a need for some larger parks has been identified for the Downtown districts that currently do not have green space. It just happens that the quadrant in which Downtown Park is located is the same quadrant where the Meydenbauer Bay Park is located, so it would be difficult to argue in favor of adding even more green space there. He said the difficult thing is coming up with the land to create parks and open space in an urban setting, especially a park the size of Ashwood Park. Around the country there are a number of successes involving smaller parks that have family features. It would be far easier to pull off a collection of smaller parks in the areas of the Downtown that are not currently represented than to try aggregating the resources needed to create a single large park.

Ms. Jackson said she initially opposed the idea of allowing more height in the DT-OLB district as proposed by the focus group participants, but said she could be persuaded if the buildings were taller and thinner in exchange for more open and green space.

Mr. Bannon pointed out that an effort to update the Downtown Transportation Plan is underway concurrently and it will have some handoffs to the committee at some point, particularly with regard to sidewalks, crosswalks, planter strips and potential amenities such as pedestrian bridges in the Downtown.

Ms. Maxwell said she walks often in the Downtown and has found some of the existing plazas to be fantastic spaces. What is lacking, however, is a good system of wayfinding. If a plaza cannot be found, it will not be used. Wayfinding is relatively inexpensive and should be a part of every new development.

Mr. Chaplin said the Avalon Towers plaza is a case in point. It was constructed as part of a development project, but few know where it is. It should be clarified that this is not a space open to the public. It did not earn FAR. Had the plaza been located with more of a presence on the street instead of elevated where it is, it would be well known and used. There is some history relating to the Downtown zoning lines; they have remained as originally established and they should always stay where they are. The permanence has helped both the Downtown and adjacent property owners and has contributed to the success story that is Downtown. There are other elements of the code, the lines of which should not be fuzzed. Amenities fall into that category to some degree. Pedestrian-oriented frontage and street-level retail yields a one-for-one FAR bonus, but often it is placed in the wrong location. Developers say they were forced to put in street-front retail that they cannot lease, but the fact is they put it in to get the free FAR but often the problem is the space is simply in the wrong location. Street-level retail is something that could be addressed on a district-by-district basis. Pedestrian-oriented frontage is all about relating buildings to the street, but in the areas where retail may not be the right choice, some other use or design option may be appropriate.

Ms. Maxwell reiterated the comment that the committee needs a broad description of the purpose of each amenity, not necessarily a design description for each. She also reiterated her view that a preliminary development design review with really good input would help. Co-chair Laing asked Ms. Maxwell if the approach taken by Seattle's design review boards is what she had in mind, and she responded affirmatively, adding that their approach brings both predictability and flexibility to the table. How Bellevue would choose to implement it would be up to Bellevue.

Ms. Lopez asked if a design review board would add more predictability, take away from predictability, or just add more time to the development process. Mr. Ferris said it would all depend on the process implemented. In Seattle, each district has a different design review board made up from people in the local community, very few of which have any real estate experience. They come to the table with different views on what they want and they critique the work of a professional designer on how the architecture should be done. For the development design team, the approach is very frustrating. The boards are advisory only and the staff or the City Council makes the ultimate decision, so the process can end up being unpredictable and certainly can add time. There certainly could be another way to do it, possibly with boards made up of professionals.

Mr. Bannon pointed out that the City has had larger projects in the Downtown provide a public meeting opportunity to allow the public to engage with the design staff, the developer and the property owner. The meetings have proved to be instructive and helpful, but they involve far less process than a design review board would involve. He added that that design charrette information from 2004 looks toward themes and historical elements already present in each Downtown district with an eye on creating a cohesive whole while maintaining the distinctions of each district. Much of Bellevue is new, but it still has historical characteristics to preserve.

Mr. Ferris commented that Bellevue is unique and challenging given the way the superblocks have been laid out. If all street frontage is required to have retail, the lack of demand for that much retail will leave blank spaces. Concentrating active street uses into appropriate districts will have just the opposite effect. The City should encourage pedestrian traffic along the shopping and entertainment streets by having a requirement for street-level retail and weather protection. Retail shops with a street presence interspersed with stores or uses that do not present a face to the street will have a very hard time making a go of it, especially if pedestrians must walk an entire big block to get to them. Big doors are inviting and no doors kill street activity. Retail can create energy and a theme for what is going on above. Because developers know that, they often get yoga studios or some other use that does not pay a lot of rent but which energize the street to locate at the street level knowing that the development above will benefit from it.

Ms. Jackson agreed. She said if she worked in an office high above the street she would prefer to have yoga classes, a dry cleaner or a gym at the street level over high-end retail uses.

****BREAK****

Mr. Helland shared with the committee a laundry list of items, saying he did not know if they belonged on the list of amenities or not. He first asked the overarching question of how the Downtown relates to the I-405 corridor and other neighborhoods and if the city's thinking is that most new housing units will be the Downtown and the Bel-Red corridor. He said all sorts of opportunities could arise if the area to the east of I-405 were to be connected to the Downtown, possibly with a lid having a signature big open space or park. With an increasing number of housing units comes the need for schools and increased fire and police protection. The ideas from the design charrette and Great Streets report are intriguing, but there are questions as to how to connect those ideas to the amenities list.

Mr. Chaplin commented that developers who have been in the community for many years are in a unique position to know firsthand what the community is seeking as well as what works and what does not work. Flexibility comes in with the ability to work with the staff to accommodate something that will benefit their project as well as the community. Flexibility allows for predictability in terms of an end product.

Co-chair Laing said Seattle has a process through its design review that allows developers to vary from the code on some elements if it can be shown that a proposal will result in a better project. He asked Mr. Chaplin to share his thoughts about the design departure approach utilized in Seattle. Mr. Chaplin said design is very subjective and there are varying opinions as to what constitutes good design and what constitutes bad design. In the past, developers coming in for design review have worked with a city planner to show how their proposed project meets the intent of the Land Use Code. More recently ways have been sought to bring additional internal planners into the discussions. The staff now have weekly interdepartmental meetings in which they discuss projects as a group. That approach actually lays somewhere in-between design review boards and review by just a land use planner. It certainly allows for taking the wider view in terms of what other projects have been proposed. There is still a lot of development yet to occur in the Downtown, and it would be helpful from a land use standpoint for developers to be able to show equivalency.

Ms. Powell stressed the need to hear from the citizenry in addition to developers and professional staff. Adjacent neighborhoods should have a say in code applications in that they have a particular interest in predictability and flexibility. The code exists to protect the citizens as well as to offer predictability to developers. A design review committee could serve as the link to the neighborhoods.

Mr. King briefly reviewed with the committee his notes of issues for staff to follow-up on and analyze.

5. NEXT STEPS

Co-chair Laing said discussion regarding the amenity system will be continued at the next meeting. He said he would discuss with Co-chair Simas how best to talk again about the affordable housing issue.

Ms. Powell said she would like to elevate the discussion regarding the need for more parks and open space in the Downtown. There was general agreement to discuss open space as a critical component of Downtown livability.

Answering a question asked by Ms. Lopez about when the committee will make decisions regarding which amenities to keep and which to leave out, Co-chair Laing said under the process that has been established the committee is only in step one of a two-step process. Following the more general brainstorming, staff will present the committee with a range of alternatives. That is the point where the committee will begin to formulate a detailed recommendation.

Mr. Bannon suggested the committee would benefit from a presentation by staff on how developers go about earning FAR and height, whether the process is formulaic or discretionary. Co-chair Laing agreed it would be useful to have included in the next packet information about other tools, such as concomitant zoning agreements, development agreements and site-specific rezones.

6. PUBLIC COMMENT

Ms. Heather Trescases spoke as director of the Eastside Heritage Center. She said the Downtown has seen significant growth over the years and the Eastside Heritage Center fully supports the process of reviewing the plans and codes that apply in the Downtown, all while recognizing the past efforts and history that are represented in the current policies. The process is an opportunity to tell the Bellevue story. Bellevue is a destination for businesses and residents of the greater Eastside, but it is now also a growing destination for tourists. Providing a sense of place for the community and visitors alike will be critical to the character and vibrancy of the Downtown. There are historical elements extant in the Downtown that should be honored, and that can be done through interpretive signage, preservation of historic structures and/or features, building design elements that reflect past history and historic images. She said some public benefit amenities are for all intents and purposes uses, so to take uses as amenities off the list completely could have a downside. The possibility of including them is part of the flexibility that is needed.

Mr. Carl Vander Hoek with Vander Hoek Corporation agreed with the need to preserve history and culture in the Downtown. Such actions should be included on the amenity incentives list. The land use audit includes the notion of preserving historical and cultural elements, and calls out the need for open space, pet areas, affordable housing, outdoor seating areas, children's play areas, a Downtown community center, and revisiting the code every ten years. There is a need to prioritize the amenities list according to their value and points. Things like public parking, childcare, pools and fire stations are very expensive and are things the citizens look to the City to provide. He agreed that some amenities are appropriate to some districts but not to others and a district-by-district approach would address that issue. Most amenities are provided because people want them. Rooftop plazas can be a wonderful amenity, but the tricky part is accessing them. He suggested the list of amenities should include sports facilities, row housing, shared public bikes, electric car charging stations, fiber optic infrastructure, parking for scooters, and kiosks for tourists. There needs to be discussion regarding the use of traffic impact fees and how they are allocated, and the notion of fees in lieu provided there is good oversight to assure monies are spent for the intended outcomes.

Mr. Chaplin took a moment to clarify his comments regarding impact fees. He said he would like to see a system under which the developers who pay the fees could take them and do a private/public project specifically.

7. ADJOURN

A motion to adjourn was made by Commissioner Stout. The motion was seconded by Mr. Chaplin and it carried unanimously.

Co-chair Laing adjourned the meeting at 9:32 p.m.